

Statutory Instrument No. 80 of 2021

PUBLIC HEALTH ACT
(Cap. 63:01)

PUBLIC HEALTH (COVID-19 CONTROL MEASURES) REGULATIONS, 2021
(Published on 28th September, 2021)

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REGULATION

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SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Health and Wellness by section 177 of the Public Health Act, the following Regulations are hereby made —

- Citation and commencement 1. These Regulations may be cited as the Public Health (Covid-19 Control Measures) Regulations, 2021, and shall come into operation on 1st October, 2021.
- Interpretation 2. In these Regulations, unless the context otherwise requires —
“child” means any person who is below the age of 5 years;
“Covid-19” means a disease caused by the novel corona virus, SARS-CoV-2, and declared a notifiable disease in the Public Health (Notification of Disease) (Covid-19) Order;
- Cap. 63:01
(Sub. Leg.) “face mask” means a covering of polypropylene fiber or cotton that is worn to cover the mouth and nose, and includes a homemade cloth face covering a person’s nose and mouth;
“gathering” means any meeting, assembly or procession of more than two persons, which —
(a) by virtue of the nature, format, location or environment of the meeting, assembly or procession concerned; or
(b) the arrangements for, or the activities involved in, or the numbers likely to be attending the meeting, assembly or meeting, poses a risk of infection with Covid-19 to persons in the meeting, assembly or procession;
“infant” means any person under the age of 2 years;
“isolation” means separating a person who tests positive for Covid-19 to a health facility, or any temporary place, suitable for the reception of that person to prevent the spread of Covid-19;
“meeting” includes a workshop, seminar and a conference;
“quarantine” means separating a person or group of persons exposed to a Covid-19 positive person to prevent the spread of Covid-19;
“school” includes —
(i) a university, or a higher or tertiary education institution, and

(ii) an education and training provider;

“social distance” means any public health measure taken to reduce interaction and contact between persons, to limit spread of diseases that are transmitted between persons, including through contact; and

“vigorous sport activity” means a sport activity set out in the Schedule.

3. (1) A person in a gathering, public place or public service vehicle shall wear a face mask:

Wearing of face mask

Provided that a —

- (i) person who has a medical condition or disability which makes wearing a face mask unsuitable and such condition or disability is certified, in writing, by a medical practitioner, shall not be required to wear a face mask,
- (ii) parent or guardian of a child, or a person responsible for the care of a child, shall, when with the child in a public place or public service vehicle, as far as practicably possible, ensure that the child is wearing a face mask, and
- (iii) parent or guardian of an infant, or a person responsible for the care of an infant, shall not be required to place a face mask on an infant.

(2) Notwithstanding subregulation (1), a person responsible for a child at a pre-primary school, primary school or post primary school shall, as far as practicably possible, ensure that the child is wearing a face mask.

(3) Notwithstanding subregulation (1) —

- (a) a sport and recreational host shall ensure that a person in attendance of a sport and recreational activity wears a face mask; and
- (b) a participant in a vigorous sport activity shall not be required to wear a face mask.

4. A person in a public place shall maintain a social distance of one to two metres from another person in —

Social distance

- (a) a gathering;
- (b) a place of trade or business;
- (c) a school;
- (d) an industry or place where goods or services are offered to the public; and
- (e) a public place or any place accessible to the public.

5. (1) A person-in-charge of a trade, business, school, industry or place where goods or services are offered to the public, a public place or any place accessible to the public, including a public service vehicle, shall —

Hand hygiene and specific responsibilities

- (a) provide a person accessing such place or vehicle with clean water and soap to wash their hands or with a hand sanitiser with alcohol content of at least 70%:

Provided that where a person refuses or does not wash or sanitise their hands, the person-in-charge shall not allow such person access into the place or vehicle; and

- (b) place distance makers to ensure that persons accessing the place or vehicle comply with social distance requirements under regulation 4.

(2) A host or convener of a gathering shall —

- (a) take the body temperature of a person who seeks to attend the gathering, and where a person’s body temperature is 37.4 degrees Celsius or above, such person shall not be allowed to attend;

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- (b) provide a person attending the gathering with clean water and soap to wash their hands or hand sanitiser with alcohol content of at least 70%;
 - (c) ensure that persons in attendance of the gathering observe social distance requirements of being at least one to two metres apart from each other; and
 - (d) where the facilities are indoors —
 - (i) ensure that there is a minimum of 30 minutes break every two hours to allow for ventilation, and
 - (ii) ensure disinfection of the premises at such intervals as the Director may determine where the gathering is taking place.
- (3) A sport and recreational host shall —
- (a) ensure that water bottles and hydration containers are not shared by participants; and
 - (b) appoint an adult to supervise all junior sport and recreational activities.
- (4) A public transport operator shall clean the interior and exterior of a public service vehicle with water and soap or sanitise the vehicle two to three times a day, or after every trip for long distance routes.
- (5) A person who seeks to access a public place or public service vehicle shall, before accessing such public place or public service vehicle, wash their hands with clean water and soap or hand sanitiser with alcohol content of at least 70%.
6. A person who is exposed to a Covid-19 positive person shall quarantine for a minimum period of 14 days at such place as the Director may specify, and shall, at the expiry of the period, undergo a Covid-19 test.
7. A person who tests positive for Covid-19, and who has not recovered, shall isolate at such place as the Director may specify, for a period of 10 days or such period as the Director may determine.
8. A person who contravenes these Regulations commits an offence and is liable to a fine not exceeding P5 000, or to imprisonment for a term not exceeding one year, or to both, and in the case of a body corporate, the head of that body corporate or the officer directly responsible for the body corporate shall be liable to the same fine and imprisonment.

SCHEDULE
(regulation 2)

VIGOROUS SPORT ACTIVITY

- (a) football;
- (b) athletics;
- (c) boxing;
- (d) netball;
- (e) volleyball;
- (f) softball;
- (g) tennis;
- (h) table tennis;
- (i) cycling;
- (j) motor sport;
- (k) basketball;
- (l) badminton;
- (m) hockey;
- (n) swimming;
- (o) fencing (protective gear);
- (p) weightlifting;
- (q) squash;
- (r) rugby;
- (s) judo;
- (t) karate;
- (u) horse racing; and
- (v) dance.

MADE this 28th day of September, 2021.

EDWIN GORATAONE DIKOLOTI,
Minister of Health and Wellness.